

REMARKS

At the time the present non-final Office Action was mailed (June 15, 2007), claims 1-9 and 21-27 were pending in the above-captioned application. In this response, claims 1, 21, 24, 25 and 27 have been amended, and new claims 49-52 have been added. Accordingly, claims 1-9, 21-27, and 49-52 are currently pending.

The status of the application in light of the June 15, 2007 Office Action is as follows:

(A) Claims 1-7 and 21-25 stand rejected under 35 U.S.C. § 102(b) on the basis of U.S. Patent No. 5,987,715 to Briffe et al. ("Briffe"); and

(B) Claims 8, 9, 26 and 27 stand objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten to be in independent form.

The undersigned attorney would like to thank the Examiner for engaging in a telephone interview on October 9, 2007 to discuss the outstanding claim rejections and the applied reference. The following remarks summarize and expand upon the points discussed during the October 9, 2007 telephone interview and reflect the agreements reached during the interview. Accordingly, applicants respectfully request that this paper constitute applicants' interview summary. If the Examiner notices any deficiencies in this regard, he is encouraged to contact the undersigned attorney.

During the October 9, 2007 telephone interview, the undersigned attorney and the Examiner discussed an amendment to claim 1 which the Examiner provisionally agreed, pending further review and search, would overcome the outstanding rejection of claim 1. In accordance with the foregoing agreement, claim 1 has been amended to clarify that the claimed display medium is positioned at a pedestal between operator seats of an aircraft, that the flight manager is configured to receive and direct instructions for automatically controlling aircraft functions in accordance with a computer-based flight plan, and that the display controller presents at least one operator activatable element at the display medium

for updating flight plan information presented at the display medium when the operator activates the operator activatable element.

As discussed during the October 9 telephone interview, an advantage of systems having the foregoing features is that the display controller presents operator activatable elements as a display medium, which can reduce or eliminate the need for certain hardware switches, and can therefore significantly improve the versatility of the overall system. In particular, and as discussed in paragraphs [0032] and [0033] of the application as filed, by utilizing displayed activatable elements rather than hardware switches, the display medium can be used to present information to the operator in a wide variety of formats, without requiring that the arrangement of switches be updated.

A further feature of particular embodiments identified by claim 1 is that the display medium is positioned at a pedestal between operator seats of the aircraft, a location which is generally associated with conventional control and display units (CDUs). This arrangement can free up the forward-facing multifunction displays (MFDs) at the flight deck to present additional information, including navigation and other information. Accordingly, presenting the operator activatable elements at a display location between the operator seats not only allows the layout and the appearance of information presented at this location to be easily updated with reduced hardware upgrades, but also preserves the ability to present still further information at the MFDs or other displays of the aircraft. This is in direct contrast to Briffe, which discloses at Figure 1 and column 10, lines 30-33 "a method to manage the FMS function by using the MFD . . . eliminating the previously existing CDU on the flight management system unit." Accordingly, Briffe expressly teaches away from a display "positioned at a pedestal between operator seats of the aircraft."

A. Response to the Section 102 Rejections

For at least the foregoing reasons, and in light of the agreement between the undersigned attorney and the Examiner during the October 9, 2007 telephone interview,

the Section 102 rejection of claim 1 should be withdrawn. Claims 2-7 depend from claim 1 and accordingly, the Section 102 rejections of these claims should be withdrawn for the foregoing reasons and for the additional features of these dependent claims.

Independent claim 21 has been amended in a manner generally similar to that described above with reference to claim 1. Accordingly, for at least the foregoing reasons, the Section 102 rejection of claim 21 should be withdrawn. Claims 22-25 depend from claim 1 and accordingly, for at least the foregoing reasons, the outstanding Section 102 rejections of these claims should be withdrawn. Of these claims, claims 24 and 25 have been amended to clarify the antecedent bases for elements of these claims.

B. Response to the Claims Objections

Claims 8 and 9 depend from claim 1, and claims 26 and 27 depend from claim 21. Accordingly, in light of the foregoing discussion regarding claims 1 and 21, and for the additional features of these dependent claims, the objections to these claims should be withdrawn. Of these claims, claim 27 has been amended to clarify the antecedent basis of a claimed feature. Claims 8, 9, 26 and 27 have been redrafted in independent form as new claims 49-52, respectively. Accordingly, claims 49-52 are now in condition for allowance.

C. Conclusion

In light of the foregoing amendments and remarks, applicants believe the pending application is in condition for allowance. If the Examiner discovers any informalities or other matters that may be expediently handled by telephone, he is encouraged to contact the undersigned attorney at (206) 359-3257.

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Respectfully submitted,

By 

John M. Wechkin

Registration No.: 42,216

PERKINS COIE LLP

P.O. Box 1247

Seattle, Washington 98111-1247

(206) 359-3257

(206) 359-4257 (Fax)

Attorney for Applicant